

August 21, 2018

Mr. Robert Galbraith
Muckrock
Department MR54898
411A Highland Avenue
Somerville, MA 02144

Dear Mr. Galbraith:

This letter is in response to your U.S. General Services Administration (GSA) Freedom of Information Act (FOIA) request number (GSA-2018-001302), submitted on June 8, in which you requested the following:

“Records of any leases, contracts, or other real estate agreements for the Customs and Border Protection (CBP) Erie, PA Border Patrol Station; CBP Buffalo Border Patrol Sector Headquarters; CBP Grand Forks, ND Border Patrol Station; and Immigration and Naturalization Services offices in Buffalo, NY listed on the Acquest Development website at: <https://www.acquestdevelopment.com/showcase/portfolio>.”

Enclosed please find the documents responsive to your request.

In processing your request, GSA withheld confidential/or proprietary financial information, such as non-firm term year prices, details of operating costs and adjustment rates, certifications and representations, crossed out lease parts negotiated out of this particular lease, pursuant to the FOIA, 5 U.S.C. § 552(b)(4). The fourth statutory exemption permits an agency to withhold “matters that are trade secrets and commercial or financial information obtained from a person or organization, that are privileged or confidential, if released, would result in competitive harm to the company.”

Please note that portions of the responsive records which reflect the agency's deliberative process, are considered pre-decisional in nature and /or attorney/client privileged communications, have been redacted pursuant to 5 U.S.C. § 552(b)(5).

Additionally, pursuant to the FOIA, 5 U.S.C. § 552(7(F)), GSA has withheld agency specific security and related information and drawings the release of which could reasonably be expected to endanger the life or physical safety of any individual.

Also, because of the sensitive nature of the building plans associated with this request, GSA is withholding those pages pursuant to the FOIA, 5 U.S.C. § 552 (b) (7) (F), which permits an agency to withhold “Records, building plans or information compiled for law enforcement purposes”, but only to the extent that the production of such law enforcement records or

information could reasonably be expected to endanger the life or physical safety of any individual.

Furthermore, GSA has withheld the actual and handwritten signatures of private individuals pursuant to the FOIA, 5 U.S.C. § 552(b)(6). This was done because public disclosure of this information would constitute a clearly unwarranted invasion of personal privacy.

As we have redacted information referenced in the above paragraph(s) with the aforementioned FOIA exemptions, this technically constitutes a partial denial of your FOIA request. You have the right to appeal the denial of the information being withheld. You may submit an appeal online at the following link (<https://foiaonline.regulations.gov/foia/action/public/home>) or in writing to the following address:

U.S. General Services Administration
FOIA Requester Service Center (H1F)
1800 F Street, NW, Room 7308
Washington, DC 20405

Your appeal must be postmarked or electronically transmitted within 120 days of the date of the response to your request. In addition, your appeal must contain a brief statement of the reasons why the requested information should be released. Please enclose a copy of your initial request and this denial. Both the appeal letter and envelope or online appeal submission should be prominently marked, "Freedom of Information Act Appeal."

This completes our action on this request. Should you have any questions, please contact me at (202) 219-3078 or by email at travis.lewis@gsa.gov. If you need additional assistance, you may also contact Ms. Audrey Brooks, GSA's FOIA Public Liaison at (202) 205-5912 or via email at audrey.brooks@gsa.gov.

Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, email at ogis@nara.gov; telephone at (202) 741-5770; toll free at (877) 684-6448; or facsimile at (202) 741-5769.

Sincerely,

Travis Lewis
Director
Office of FOIA & Records Management
Office of Administrative Services

Enclosure